







# In the Supreme Court of the United States

OCTOBER TERM, 1938

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No. 73

STATE OF MINNESOTA, PETITIONER

v.

UNITED STATES OF AMERICA

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ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED  
STATES CIRCUIT COURT OF APPEALS FOR THE EIGHTH  
CIRCUIT

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## SUPPLEMENTAL MEMORANDUM FOR THE UNITED STATES

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The reply brief filed on behalf of the State of Minnesota correctly points out (p. 2) that *United States v. Colvard*, 89 F. (2d) 312, (C. C. A. 4th), was erroneously summarized in the brief for the United States in opposition (p. 4). The land concerned there was, as the Attorney General of Minnesota points out, tribal rather than allotted lands. This in no way affects the argument of the brief in opposition, to the effect that without its consent no suit can be brought to condemn lands held in trust by the United States. But we wish to ex-

press both our regret for this inadvertence and our full concurrence with the suggestion of the Attorney General of the State that we have erroneously summarized this case.

Respectfully submitted.

ROBERT H. JACKSON,  
*Solicitor General.*

CARL MCFARLAND,  
*Assistant Attorney General.*

WARNER W. GARDNER,  
*Special Attorney.*

OCTOBER, 1938.

